

Appl. No. : **09/804,457**
Filed : **March 12, 2001**

REMARKS

Status of Claims

Claims 1-8, 10-29, 49 and 50 remain pending in the application. The Applicants have amended Claims 1, 11-19 and 21. The specific changes to the amended claims are shown above, wherein the insertions are underlined and the ~~deletions are stricken through~~. Applicant respectfully requests reconsideration and allowance of all claims.

The Examiner has noted an incongruity between the limitation in claims 12-19 “said one or more electrical fields” and the base claim 1 limitation “a series of two or more electric fields”. This error has been corrected so that each of claims 12-19 now contains the phrase: “said two or more electric fields” consistent with the phrase “a series of two or more electric fields” as defined in Claim 1.

Claim 11 has been amended to read “said electric fields exhibit” rather than “said electric field exhibits” so as to be consistent with the phrase “said . . . electric fields” in Claim 1 from which Claim 11 depends.

Discussion of Rejection under 35 U.S.C. § 112

The Examiner has rejected Claims 1-8, 10-29, 49 and 50 under 35 U.S.C. Section 112 Paragraphs 1 and 2 for failing to define the terms “biological activity” or “biologically active”. Claims 1 and 21 have been amended to avoid these terms and the term “biochemical activity” in the manner suggested by the Examiner so as to focus Claims 1 and 21 on “characterizing the effect on transmembrane voltage of a candidate compound.” As amended, Claim 1 now “tests the effect of a candidate compound on the transmembrane potential of one or more biological cells” and Claim 21 now describes a “method of assaying the effect of a compound against a target voltage regulated ion channel” in terms of “transmembrane potential changes”.

Amendment to the Specification

Applicants respectfully request entry of the Amendments to the Specification set forth above to correct a minor typographical error, changing “changes in the transmeIn one embodiment . . .” to “changes in the transmembrane potential. In one embodiment . . .”. This Amendment does not constitute new matter.

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CONCLUSION

The Applicants have endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of the patentability of the pending claim set are presented above. In light of these amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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